

Notice of Allowability

Application No.

10/053,879

Applicant(s)

KAJIWARA ET AL.

Examiner

Tran N. Nguyen

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 8/4/03.
2. ☐ The allowed claim(s) is/are 1-6.
3. ☐ The drawings filed on 24 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Election/Restriction

The applicant selection without traverse, filed 8/4/03, of species 1, wherein **claims 1-6** are read on figures 1-8 thereof. Thus, the restriction is proper and hereby made *FINAL* by the applicant's election.

As stated in the restriction, in the present application, no claim is found generic. Claims 7-16 are not written in dependent form or otherwise include all the limitations of allowed claims as provided by 37 C.F.R. 1.141. Therefore, claims 7-16 are not entitled to a consideration for allowance of claims 1-6.

Examiner's Amendment

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it must be submitted no later than the payment of the Issue Fee.

Please change the following:

In the claim:

Cancel claims 7-16 (which is a non-elected invention. See Election/Restriction filed on 8/4/03).

In claims 1-6, line 1, delete "type"

In claim 1, line 9-10, change "the rotor yoke having a side section being formed in a shape of which a part is cut off radially to the outer circumference" to ~~the rotor yoke having a circumferential side section being formed in a shape, wherein said shape has a part being~~ radially cut off to an outer circumference"

In claim 1, line 13, change “with” to —**and**—

In claim 2, line 14, change “with” to —**and**—

In claim 3, line 15, change “with” to —**and**—

The Examiner's Amendment, to the record appears above, is to clarify the claimed language. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312.

Allowable Subject Matter

Claims 1-6 are allowed.

Reason for Allowability

The following is an examiner's statement of reasons for allowance: the primary reason for the allowance is the including, ***in combination with other limitations recited in the claims***, the limitations of a vibration brushless motor particularly comprising a rotor yoke having a circumferential side section being formed in a shape; the shaped of the side section having a part is cut off radially to the outer circumference direction from the center of rotation of the rotor yoke fixed with the other end of the shaft, wherein the ring magnet is fixed to the side section of the rotor yoke and facing the ring core thereof.

Comparing to the prior-art of the record, none of the prior art references of the record, either stand alone or in combination, has taught or suggest the above-mentioned features, *particularly the rotor yoke having a circumferential side section having a shape that has a part being radially cut off to an outer circumference direction.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

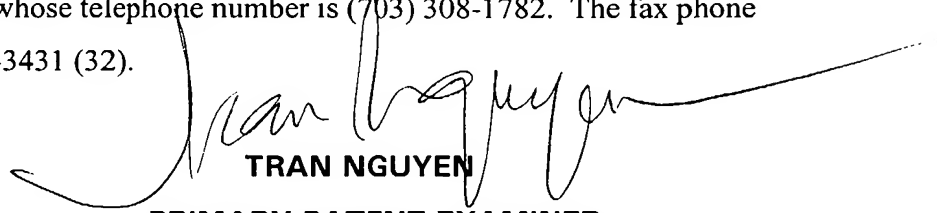
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran Nguyen whose telephone number is (703) 308-1639.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-1782. The fax phone number for this Group is (703) 305-3431 (32).

A handwritten signature in cursive script, appearing to read 'Tran Nguyen', is written over the printed name and title.

TRAN NGUYEN

PRIMARY PATENT EXAMINER

TC-2800